

~~PRESENT~~

MAGISTRATE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORKA.S. an infant by his father and natural guardian,
MENACHEM STEIN,

Plaintiff(s),

INFANT'S COMPROMISE
ORDER

11-CV-2359 (ARR)

-against-

EL AL ISRAEL AIRLINES, INC.,

Defendant(s)

the billing report - case
summary, filed June 25,
2012; and the ex post
facto listing of time
records filed July 2,
2012;

UPON READING AND FILING the affidavit of MENACHEM STEIN, parent of
the infant herein, duly sworn the 7th day of June 2012, the affirmation of IRVING
GERTEL, ESQ., of Kagan & Gertel, Esqs., attorneys for plaintiffs herein, dated the 7th
day of June 2012, and the affirmation of Hylton I. Lightman, M.D., dated the 11th day of
June 2012, and the exhibits attached thereto, and it appearing that the infant is almost 2
years of age, having been born on July 14, 2010, and the parent and their attorney
having appeared before this Court on July 9, June 14, 2012, and it appearing that the best
interests of the said infant will be served by approval of the settlement,

NOW, on motion of Kagan & Gertel, Esqs., attorneys for the plaintiffs, it is,

ORDERED, that the parent, MENACHEM STEIN, be and he is hereby
authorized to enter into a compromise of the infant's cause of action herein upon the
following terms, to wit:

ORDERED, that defendant EL AL ISRAEL AIRLINES, INC., shall pay the sum
of TWENTY THOUSAND DOLLARS AND 00/100 (\$20,000.00), in full and complete

settlement of the infant's claims herein and that out of that sum there shall be paid to Kagan & Gertel, Esqs., attorneys for plaintiffs, the sum of SEVEN THOUSAND SIXTY SIX DOLLARS AND 66/100 (\$7,066.66), representing their legal fee and disbursements in this matter, in full settlement of the attorney's claim for compensation for legal services, and it is further

ORDERED, that the balance, to wit, the sum of TWELVE THOUSAND NINE HUNDRED AND NINETY THREE DOLLARS AND 34/100 (\$12,933.34), shall be paid by the defendant EL AL ISRAEL AIRLINES, INC., to be held for the sole use and benefit of the infant plaintiff jointly with an officer of *Roslyn Savings* Bank located at *333 Central Avenue,* *Lawrence*, *11559,* New York, to be deposited in said bank, in the highest interest bearing account or certificate of deposit in the name of said guardian to the credit of said infant, subject to the further order of this Court, and it is further

ORDERED, that the said depository wherein the proceeds of the within settlement shall be held shall hand over all monies held in the account to the infant upon demand and without further Court order, when the infant reaches the age of eighteen (18) years upon presentment of proper proof thereof to such depository, and it is further

ORDERED that withdrawals before the infant reaches age eighteen (18) years are not permitted, except upon further order of this court.

ORDERED the account is subject to renewal upon maturity, not to extend beyond the infant's eighteenth (18th) birthday.

ORDERED the cause of action for loss of services and/or medical expenses are waived and dismissed.

ORDERED that conditioned upon compliance with the terms of this Order, the guardian of the infant be and is hereby authorized to execute any release or additional instruments necessary to effectuate the settlement herein, and that the filing of a bond is hereby waived.

ENTER:

J.S.G.

SO ORDERED:

/s/

Roanne L. Mann

U.S. Magistrate Judge

Dated: 7/9/12